



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

HOUSE STANDING COMMITTEE ON JUDICIARY

Tuesday, September 26th, 2017 12:00 p.m. Room 326 House Office Building

Representative Runestad, Chair, called the meeting to order.

Chair Runestad requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Absent: None.

Excused: None.

Representative Theis moved to approve the minutes of the September 19th, 2017 meeting. The motion prevailed by unanimous consent.

The Chair laid HB 4756 before the committee:

HB 4756 (Lucido) Crimes; intoxication or impairment; abstract of court record for certain violations of the minor in possession of alcohol statute; revise.

Representative Lucido and Ralph Maccarone introduced the bill. Questions and discussion followed.

Thomas Clement, representing the State Court Administrative Office, submitted a testimony card in support of the bill, but did not wish to speak.

The Chair laid HB 4410 before the committee:

HB 4410 (Lucido) Probate; wills and estates; exempt property; allow decedent to exclude adult child by written instrument.

Representative Lucido introduced the bill. Questions and discussion followed.

Katie Lynwood, representing the Probate and Estate Planning Section of the State Bar of Michigan, testified in support of the bill. Questions and discussion followed.

Todd Tennis, representing the Elder Law and Disability Rights Section, submitted a testimony card in support of the bill, but did not wish to speak.

The Chair laid HB 4876 before the committee:

HB 4876 (Cole) Weapons; licensing; certain requirements to obtain a license to possess a pistol; modify.

Representative Cole and Kerry Morgan testified in support of the bill. Questions and discussion followed.

Jason Gillman, representing Michigan Open Carry, submitted a testimony card in support of the bill, but did not wish to speak.

Frank Foster, representing Everytown for Gun Safety, submitted a testimony card in opposition to the bill, but did not wish to speak.

Representative Cole moved to adopt substitute (H-1) for HB 4876. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Nays: None.

Pass: None.

The Chair laid HB 4821 and HB 4822 before the committee:

HB 4821 (Runestad) Probate; wills and estates; appointment of the state or county public administrator as personal representative of a decedent's estate in a formal proceeding; require, and modify powers and duties of public administrators acting as personal representatives.

HB 4822 (Ellison) Probate; wills and estates; appointment of the state or county public administrator as personal representative of a decedent's estate in a formal proceeding; require, and modify powers and duties of public administrators acting as personal representatives.

Representative LaFave moved to adopt substitute (H-1) for HB 4821. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Nays: None.

Pass: None.

Representative Runestad offered the following amendments to HB 4821, as substituted (H-1):

1. Amend page 2, line 5, after the first "**AFTER**" by striking out "**93**" and inserting "**91**".
2. Amend page 2, line 6, after "**BEFORE**" by striking out "**93**" and inserting "**91**".
3. Amend page 2, line 10, after "within" by striking out "**93**" and inserting "**91**".

Representative Greimel moved to adopt the amendments to HB 4821, as substituted (H-1). The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.
Nays: None.
Pass: None.

Representative LaFave moved to adopt substitute (H-1) for HB 4822. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.
Nays: None.
Pass: None.

Representative moved to report HB 4821, with recommendation, as amended, as substitute (H-2). The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.
Nays: None.
Pass: None.

Representative LaFave moved to report HB 4822, with recommendation as substitute (H-1). The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.
Nays: None.
Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting, the time being 12:53 p.m.

Representative Runestad, Chair

Date Approved and Signed

Matthew Carnagie
Committee Clerk
September 26th, 2017